

#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: STOUGHTON *et al.*

Serial No.: 09/038,894

Filed: March 11, 1998

For: **METHODS OF DIAGNOSIS AND
TRIAGE USING CELL ACTIVATION
MEASURES**

Art Unit: 1651

Examiner: Witz, J.

**INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE
WITH 37 C.F.R. §§ 1.97-1.98**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Because this Information Disclosure Statement is filed prior to receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 08-1641.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Form PTO-1449 (12 pages) and copies of the cited documents are provided herewith in connection with the above-captioned application. The documents listed on the Forms PTO-1449 and supplied herewith are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. and International applications which are commonly owned and/or have one or more inventors in common in the above-captioned application.

RECEIVED
TECH CENTER 1600/2300
99 SEP 27 AMH: D
08-1641

**USSN 09/038,894
STOUGHTON *et al.*
INFORMATION DISCLOSURE STATEMENT**

U.S.S.N. (Patent no.)

08/079,051 (5,480,974)	06/18/93
08/582,433	01/02/96
09/173,579	10/15/98
09/245,829	02/05/99
09/246,500	02/08/99

Filing Date

Int'l Appln. (Patent No.)

PCT/US99/05247	03/11/99
----------------	----------

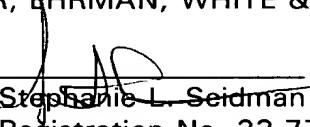
Filing Date

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and make them of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE

By:


Stephanie L. Seidman
Registration No. 33,779

Date: September 24, 1999

Attorney Docket No. 24730-2202

Address all correspondence to:

HELLER, EHRMAN, WHITE & McAULIFFE
4250 Executive Square, 7th Floor
La Jolla, California 92037-9103
Telephone: (619) 450-8400
EMAIL: sseidman@hewm.com